

CITY OF EL PASO, TEXAS
AGENDA ITEM DEPARTMENT HEAD'S SUMMARY FORM

DEPARTMENT: City Manager

AGENDA DATE: March 1, 2005

CONTACT PERSON/PHONE: Joyce A. Wilson, City Manager, X4844

DISTRICT(S) AFFECTED: N/A

SUBJECT:

An Ordinance granting the Authority to the City Manager or his or her designee to make provisional and temporary employee appointments in accordance with the El Paso City Charter.

BACKGROUND / DISCUSSION:

This Ordinance delegates the authority to the City Manager or designee to make provisional and temporary employee appointments, as permitted under Sections 6.6-2 and 6.6-3 of the City Charter. With this process, vacant positions will be filled expeditiously to enable the departments to continue to provide and manage the same level of services to the public. All relevant Civil Service Commission rules will still apply to the making of these appointments, but the need for additional approval by City Council will no longer be required.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

N/A

*****REQUIRED AUTHORIZATION*****

LEGAL: (if required) _____ **FINANCE:** (if required) _____

DEPARTMENT HEAD:

(Example: if RCA is initiated by Purchasing, client department should sign also)
Information copy to appropriate Deputy City Manager

APPROVED FOR AGENDA:

CITY MANAGER: _____

CITY CLERK DEPT.
FEB 21 PM 1:10
DATE: 2/21/05

JOE WARDY
MAYOR

JOYCE WILSON
CITY MANAGER

CITY COUNCIL
SUSAN AUSTIN, DISTRICT 1
ROBERT A. CUSHING, JR., DISTRICT 2
ALEXANDRO LOZANO, DISTRICT 3
JOHN F. COOK, DISTRICT 4
PRESI ORTEGA, JR., DISTRICT 5
PAUL J. ESCOBAR, DISTRICT 6
VIVIAN ROJAS, DISTRICT 7
ANTHONY W. COBOS, DISTRICT 8

OFFICE OF THE CITY MANAGER

March 10, 2005

TO: Mayor and City Council

FROM: Joyce Wilson, City Manager

SUBJ: Ordinances for Consideration on March 15

City Council will consider a series of ordinances regarding the delegation of certain duties and responsibilities to the City Manager. Among them include a delineation of signatory authority between those actions to be retained by the Mayor and those activities to be transitioned to the City Manager. In addition, several of the ordinances are designed to delegate responsibilities to the City Manager that would no longer require bringing items before the City Council for action. Those include:

- release of liens once fulfilled,
- reimbursement for overpayments,
- authority to implement tax payment installment agreements,
- authority relating to grants applications and administration,
- clarifying other authorities to enter and sign certain personal services contracts (primarily a housekeeping item to the ordinance approved by City Council in September 2004 as part of the transition process),
- authority to make provisional and temporary appointments upon approval of the Civil Service Commission (excluding department heads that would still require City Council approval under the Charter),
- authority to lease facilities, i.e., museum and arts venues, for events with alcohol.

Many of these activities were identified by the Transition Team working with the City's consultant, Terrell Bloggett, prior to September 1, 2004, when the new charter amendments took effect. Others were raised by staff and/or the City Attorney's Office as opportunities to reduce time and costs associated with processing fairly routine administrative matters for the City Council agenda, and/or reducing duplication of reviews or time lags for implementation.

Staff estimates that approval of these items would reduce the Consent Agenda by 25-30%. In the context of time and effort, the City Clerk's Office spends collectively about 80 hours a week preparing the Council Agenda. A 30% reduction would save about 26 hours per week or approximately 1400 hours annually. Based on a \$20 hour annual salary cost, the savings would equate to nearly \$30,000 annually. The City Attorney's Office estimates that Agenda review requires about 30 minutes of attorney time and 30 minutes of other staff time for each item on the Consent Agenda to assure that all is in order. Annualized time savings equate to 180 to 265

hours each – attorney and staff time – or a cost savings of \$16,500 based on hourly rates of \$46 and \$15 per attorney and staff. In addition, the initiating agencies expend approximately one to two hours developing the paperwork for submittal and securing appropriate approvals for each agenda item. The City Manager spends approximately one hour weekly going through the preliminary agenda and then another hour weekly with all affected agencies reviewing the agenda in preparation for the Tuesday meeting. While no dollars have been expressly identified for these time investments, the net impact in terms of opportunity costs equates to approximately 2-3 FTEs, plus City Council's and their staff's time organizing and reviewing a weekly agenda crowded with a lot of mundane items that detract from the more substantive business of the City Council.

Beyond this assessment, all of the human resources matters are reviewed and approved by the Civil Service Commission. Presently it takes the approval of two independent governing bodies to enact even minor temporary or provisional hires, which requires 2-4 weeks of lead time to process the request, post the agenda and get approval. This does not appear to be the best use of City Council's, volunteer Commissioners, and staff time in terms of value added and productivity.

Assistant City Attorney Elaine Hengen will be available to speak to each of these ordinances at the March 15 meeting. In the interim, please feel free to contact me if you have outstanding questions regarding the above.

**AN ORDINANCE GRANTING THE AUTHORITY TO THE CITY
MANAGER OR HIS OR HER DESIGNEE TO MAKE PROVISIONAL
AND TEMPORARY EMPLOYEE APPOINTMENTS IN
ACCORDANCE WITH THE EL PASO CITY CHARTER.**

WHEREAS, on February 7, 2004, a Charter election was held and the voters of El Paso elected to amend the Charter to provide for a Council-Manager form of government;

WHEREAS, Sections 6.6-2 and 6.6-3 of the City Charter provide that with the approval of the Council provisional and temporary employee appointments may be made;

WHEREAS, such provisions allow the Council to set forth the guidelines for the issuance of their approval and to delegate the specific decision making for these provisional and temporary employee appointments in accordance with the requirements set forth in the Charter;

WHEREAS, the need for provisional and temporary appointments can quickly rise, thereby creating an immediate need to fill the positions expeditiously to enable the departments to continue to provide the same level of services to the public or to be managed and operated efficiently and effectively; and

WHEREAS, the City Council has determined that for purposes of efficiency that the City Manager or his or her designee be permitted to make the provisional and temporary appointments in accordance with the requirements set forth in the Charter and in this ordinance.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE
CITY OF EL PASO:**

1. That Council hereby approves and gives authority to the City Manager or his or her designee to make provisional and temporary employee appointments as set forth in and pursuant to the requirements contained in Sections 6.6-2 and 6.6-3 of the Charter.
2. That prior to the making of any such appointment the City Manager or his or her designee shall verify with appropriate City staff that a vacancy exists, that good cause exists for the making of a provisional or temporary employee appointment and that funding exists in the applicable department's budget for the position.
3. Good cause shall include a need to fill the position to enable the department to continue to provide the same level of services to the public or to enable the department to be managed and operated efficiently and effectively.

ADOPTED this 15th day of March 2005.

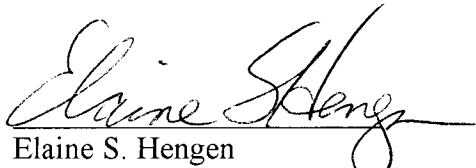
THE CITY OF EL PASO

Joe Wardy, Mayor

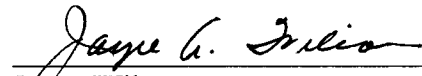
ATTEST:

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:


Elaine S. Hengen
Assistant City Attorney

APPROVED AS TO CONTENT:


Joyce Wilson
City Manager